

AMENDED IN ASSEMBLY AUGUST 12, 2013

AMENDED IN ASSEMBLY AUGUST 5, 2013

**SENATE BILL**

**No. 445**

---

**Introduced by Senator Hill**

*(Principal coauthor: Assembly Member Mullin)*

February 21, 2013

---

An act to add ~~Section~~ *Sections* 15820.908 and 15820.927 to the Government Code, relating to prisons.

LEGISLATIVE COUNSEL'S DIGEST

SB 445, as amended, Hill. Revenue bond financing of prison construction.

Existing law authorizes the Department of Corrections and Rehabilitation, participating counties, and the State Public Works Board (SPWB) to acquire, design, and construct local jail facilities approved by the Board of State and Community Corrections. Existing law authorizes the SPWB to issue revenue bonds, notes, or bond anticipation notes in specified amounts to finance the acquisition, design, or construction, and a reasonable construction reserve, of approved local jail facilities, as specified.

This bill would require funds allocated to a county for the construction of local jail facilities that are relinquished by the county to which they were allocated to be reallocated to a county that received a conditional award but never received funds, as specified. ~~The~~

*Existing law also authorizes the Board of State and Community Corrections, the State Public Works Board, and a participating county to acquire, design, and construct an adult local criminal justice facility approved by the Board of State and Community Corrections, or to acquire a site or sites owned by, or subject to a lease option to purchase*

*held by, a participating county. Existing law authorizes the State Public Works Board to issue up to \$500,000,000 in revenue bonds, notes, or bond anticipation notes to finance the acquisition, design, and construction of approved adult local criminal justice facilities, and continuously appropriates the funds for those purposes.*

*This bill would authorize the State Public Works Board to approve a project under either of the above programs after commencement of working drawings or construction phase activities and would authorize reimbursement of expenses incurred after the board approves the project.*

*Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.*

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 15820.908 is added to the Government  
2     Code immediately after Section 15820.907, to read:

3     15820.908. (a) Funds allocated to a county pursuant to this  
4     chapter that are relinquished by the county to which they were  
5     allocated shall be reallocated to a county that received a conditional  
6     award under this chapter but never received funds.

7     (b) In allocating funds pursuant to this section, preference shall  
8     be given to the county or counties based on readiness to proceed  
9     with construction on the project.

10    (c) A county receiving funds pursuant to this section is not  
11    required to assist the state in siting reentry beds pursuant to  
12    subdivision (b) of Section 15820.907.

13    (d) Notwithstanding Section 13332.11 and 13332.19, the State  
14    Public Works Board may approve a project to be funded pursuant  
15    to this section after commencement of working drawings or  
16    construction phase activities. Funds may be allocated to reimburse  
17    expenses that are incurred after the board approves the project  
18    pursuant to this subdivision.

19    SEC. 2. Section 15820.927 is added to the Government Code,  
20    immediately after Section 15820.926, to read:

21    15820.927. Notwithstanding Section 13332.11 and 13332.19,  
22    the State Public Works Board may approve a project to be funded  
23    pursuant to this chapter after commencement of working drawings  
24    or construction phase activities. Funds may be allocated to  
25    reimburse expenses that are incurred after the board approves the  
26    project pursuant to this section.

O